

**UNITED STATES DISTRICT COURT  
IN THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

MDL Docket No. 2196

In re POLYURETHANE FOAM  
ANTITRUST LITIGATION

Index No. 10 MD 2196 (JZ)

JUDGE JACK ZOUHARY

This document relates to:

Martin Furniture and Bedding, Inc.,  
Plaintiff

v.

Case No. 1:11-pf-10005

Foamex Innovations, Inc., *et al*  
Defendants

and

Beastrom, et al.  
Plaintiffs,

v.

Case No. 1:11-pf-10010

Carpenter Co., et al.  
Defendants

**DEFENDANTS CREST FOAM INDUSTRIES, INC.'S AND INOAC USA, INC.'S  
MOTION FOR RECONSIDERATION OF DENIAL OF THEIR MOTION TO DISMISS  
OR, ALTERNATIVELY, MOTION TO CERTIFY THE ORDER FOR IMMEDIATE  
APPEAL UNDER 28 U.S.C. § 1292(b)**

Defendants Crest Foam Industries Inc. (“Crest”) and Inoac USA Inc. (“Inoac USA”) (collectively, “Defendants”), through their attorneys, Dykema Gossett PLLC, respectfully request that the Court reconsider its denial of Crest and Inoac USA’s Motion to Dismiss (Doc. No. 89) or, alternatively, certify the Court’s July 19, 2011, Order for immediate appeal under 28 U.S.C. § 1292(b). As support, Defendants rely on the facts and law set forth in the attached Memorandum of Law.

**RELIEF REQUESTED**

The Court should reconsider its prior ruling and dismiss Crest and Inoac USA from this case. Alternatively, the Court should certify its July 19, 2011, Order for immediate appeal under 28 U.S.C. § 1292(b).

DYKEMA GOSSETT PLLC

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